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Hearing Date: March 11, 2014 @ 10:00 a.m.  
Defendants' Brief in Opposition Due:  
February 10, 2014 @ 5:00 p.m.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

BIG APPLE VOLKSWAGEN, LLC,

Debtor.

ALAN NISSELSON, Chapter 7 Trustee of  
BIG APPLE VOLKSWAGEN, LLC,

Plaintiff,

-against-

RATIBA SALIM and WAHID SALEEM,

Defendants.

Chapter 7

Case No. 11-11388 (JMP)

Adv. Proc. No. 11-2251 (JMP)

**NOTICE OF TRUSTEE'S MOTION PURSUANT TO BANKRUPTCY RULE 7056 AND  
RULE 56 OF THE FEDERAL RULES OF CIVIL PROCEDURE FOR PARTIAL  
SUMMARY JUDGMENT ON HIS FIRST CLAIM FOR RELIEF FOR AVOIDANCE  
AND RECOVERY OF PREFERENTIAL TRANSFERS AS SET FORTH IN  
COMPLAINT AGAINST RATIBA SALIM AND WAHEED SALIM**

PLEASE TAKE NOTICE that upon the motion (the "**Motion**") of Alan Nisselson (the "**Trustee**"), chapter 7 Trustee for the estate of Big Apple Volkswagen, LLC (the "**Debtor**") and plaintiff in the above-reference adversary proceeding, the Affidavit of Alan Nisselson in Support of the Motion, the Local Bankruptcy Rule 7056-1 Statement of Material and Undisputed Facts and the Memorandum of Law in Support of the Motion, by his counsel, Windels Marx Lane & Mittendorf, LLP, a hearing (the "**Hearing**") will be held before The Honorable James M. Peck,

United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004, on **March 11, 2014 at 10:00 a.m.** (the “**Hearing Date**”), or as soon thereafter as counsel may be heard, to consider the Motion pursuant to Rule 7056 of Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Rule 56 of the Federal Rules of Civil Procedure for partial summary judgment on his first claim for relief for avoidance and recovery of preferential transfers as set forth in his complaint against Defendants Ratiba Salim and Waheed Salim (collectively, the “**Defendants**”).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to a stipulation and Order dated January 24, 2014 (Adv. Pro. Doc. No. 38), Defendants’ brief in opposition to the Motion (the “**Opposition Brief**”) is due by **February 10, 2014 at 5:00 p.m.** (the “**Opposition Brief Deadline**”). The Opposition Brief must be in writing, conform to the Bankruptcy Rules and the Local Rule of the Bankruptcy Court, and be electronically filed with the Bankruptcy Court in accordance with the General Order No. 399, which, along with and User’s Manual for the Electronic Case Filing System can be found on the Court’s official website: [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) (the “**Court’s Website**”). The Opposition Brief must be served so as to be received by the Objection Deadline by: (i) the undersigned attorneys for the Trustee, (ii) the Bankruptcy Judge (A hard copy must be clearly marked “Chambers”), and (iii) the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10004; Attn: Greg Zipes, Esq. Unless the Opposition Brief is filed with the Court and received by the parties listed above by Objection Deadline, the relief sought in the Motion may be deemed uncontroverted and an Order granting the relief may be signed.

**PLEASE TAKE FURTHER NOTICE** that the Defendants must attend the Hearing, which may be adjourned from time to time without notice other than by announcement in Court at the Hearing.

Dated: New York, New York  
January 27, 2014

WINDELS MARX LANE & MITTENDORF, LLP  
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